IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

GARY CARRIGAN,)
)
Plaintiff,)
) Case No. 3:10-cv-1089
) Judge Trauger
v.)
)
ARTHUR J. GALLAGHER RISK)
MANAGEMENT SERVICES, INC.,)
)
Defendant.)

ORDER

For the reasons expressed in the accompanying Memorandum, summary judgment is **GRANTED** in the plaintiff's favor on his claim for breach of contract and AJGRMS' Motion for Default (Docket No. 55) is **DENIED**. The only liability issue remaining is AJGRMS' counterclaim for abuse of process, which the court may rule on as a matter of law at the pretrial conference. The court has already found that the plaintiff is liable to AJGRMS on its breach of contract counterclaim in the amount of \$47,611.69. Thus, the only damages issue remaining is the amount of damages the plaintiff is entitled to recover as a result of AJGRMS' breach of the non-compete clause contained in the Sale Agreement.

It is so ordered.

Enter this 30th day of May 2012.

ALETA A. TRAUGER //
United States District Judge

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